

EX PARTE ORAL HEARING FILED

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NOV 07 2003

Federal Communications Commission  
Office of the Secretary

38 EX parte written notice

To. Chairman and Commissioners

EX PARTE ORAL ARGUMENT FILED

John VanBuskirk  
5460 210th Ave  
Reed City, MI 49677

Commissioner Kevin J. Martin  
Federal Communications Commission  
445 12th Street, NW  
Washington, D.C. 20554

RECEIVED

NOV 07 2003

Federal Communications Commission  
Office of the Secretary

Dear Commissioner Kevin J. Martin:

Thousands of American consumers have already expressed their opposition to the FCC's adoption of a "broadcast flag." I am writing to join them. As a user of open-source software, adoption of the broadcast flag will mean I am unable to receive digital television broadcasts on my computer.

Adopting the broadcast flag will make the FCC stand for "Federal Computer Control" which is outside its proper role. It is not the FCC's place to effectively choose the software licenses or computer operating systems that consumers must use in order to watch digital television broadcast on their computers.

Additionally, adoption of the broadcast flag will harm innovation. Many users of open-source software are computer programmers and "tinkers" who work to improve the software. Their contributions and constant innovation is what makes open-source software able to compete in the marketplace.

The broadcast flag rule advocated by the MPAA will ban open-source implementations of VSB and QAM modulators and demodulators, preventing open-source programmers from innovating in field of digital communications techniques used by television.

Most Americans assumed that when television became digital, viewers would be able to do more with television programming, not less. Without innovative new products and flexibility in the ways consumers are able to watch TV, consumers will be less inclined to invest in the equipment to view digital television. Therefore, the broadcast flag is likely to slow adoption of digital television in addition to making it illegal to watch digital television on a computer using open-source software. It is for these reasons I urge you to promote the digital television transition by opposing adoption of the broadcast flag.

Sincerely,

John VanBuskirk

NOV 10 2003  
LDA:ACB/DE

Kim Khan  
60 West 10 th Street, 7A  
New York, NY 10011

Commissioner Kevin J. Martin  
Federal Communications Commission  
445 12th Street, NW  
Washington, D C 20554

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**NOV 07 2003**

**Federal Communications Commission  
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Sincerely,

Kim Khan

02-2.

EX-100-10000-1000

Thomas Belote  
542 Forest Ave #B  
Palo Alto, CA 94301

Commissioner Kevin J. Martin  
Federal Communications Commission  
445 12th Street, NW  
Washington, D.C. 20554

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Sincerely,

Thomas Belote

EX-100 (Rev. 11-15-93)

John T Morris  
2041 N F ST  
Stockton, Ca 95205

Commissioner Kevin J. Martin  
Federal Communications Commission  
445 12th Street, NW  
Washington, D C 20554

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Aside from what is already said, I think it's time for the FCC to start caring more about the American consumers and less for "big time hollywood". Thankyou for your time

Sincerely,

John T Morris

Steven D. Stamps  
5022 S. Greenwood Ave  
Chicago, IL 60615

Commissioner Kevin J. Martin  
Federal Communications Commission  
445 12th Street, NW  
Washington, D.C. 20554

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Sincerely,

Steven D. Stamps

Neil Whelchel  
P O Box 2082  
Joshua Tree, Ca

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Federal Communications Commission  
Office of the Secretary

Commissioner Kevin J. Martin  
Federal Communications Commission  
445 12th Street, NW  
Washington, DC 20554

Dear Commissioner Kevin J. Martin

Thousands of American consumers have already expressed their opposition to the FCC's adoption of a "broadcast flag" I am writing to join them. As a user of open-source software, adoption of the broadcast flag will mean I am unable to receive digital television broadcasts on my computer. It will also force many people to purchase third party products such as closed source operating systems of which there may only be one to choose from. (Serving only to further establish a monopoly ) This also has the side effect of adding many extra costs to the consumer as all of the development will have to be done at the corporate level. Also, since such works would be considered 'trade secrets', the work would not be available for other viewpoints leading to a general lack of quality and compatibility. (Everyone would have to start from scratch, even though similar or the same thing has already been done ) If we are dealing with a 'standard' for use by the public, it has to be a public standard, not a trade secret!

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Sincerely,

Neil Whelchel

walter preston  
166 southwood dr  
statesville, NC28677

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Federal Communications Commission  
445 12th Street, NW  
Washington, D C 20554

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Sincerely,

walter preston



EX PARTE

Gregory Houghland  
3317 Waterloo Rd  
Connersville, TN 47331

Commissioner Kevin J. Martin  
Federal Communications Commission  
445 12th Street, NW  
Washington, D.C. 20554

Dear Commissioner Kevin J. Martin:

As a broadcast television viewer and consumer of electronics and computer products, I urge the Federal Communications Commission to vote against the adoption of a "broadcast flag." I am outraged that the FCC would consider a regulation that would restrict the way I enjoy television.

The broadcast flag is neither in my interest nor the public's interest. It will prevent me from watching digital broadcast television in the ways I currently enjoy analog broadcast television—for example, it will restrict my ability to move the video I have recorded for personal viewing from room-to-room and place-to-place.

The broadcast flag will also lock out my computer as a way to watch my favorite shows using my choice of software on a plane or train, or to send a television clip of a high school football game to family and friends.

Furthermore, if computers cannot freely receive digital television, how can I expect creative developers to discover new devices that enable me to use content in exciting ways I haven't even thought of? I value innovative devices like TiVo, ReplayTV and the Windows Media Center PC, which exist today because they were built to open standards using inexpensive, off-the-shelf computer parts.

If the move to digital television does not make the public's viewing experience more enjoyable, flexible, and exciting, what compelling reason do I have as a consumer to buy new digital television equipment? A prettier picture is hardly enough reason for me to dispense with all my current consumer electronics and computer equipment. As a citizen and viewer of broadcast television, I urge you to promote the digital television transition by opposing adoption of the broadcast flag.

Sincerely,

Gregory Houghland

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Sincerely,

dder

11/11/2010 10:11:11 AM

Frank Shulze  
103 Bicknell St  
Columbia, MO 65203

Commissioner Kevin J. Martin  
Federal Communications Commission  
445 12th Street, NW  
Washington, D.C. 20554

Dear Commissioner Kevin J. Martin:

I am 100% opposed to the FCC's adoption of a "broadcast flag." I want no restrictions on open-source media software. I oppose this idea and I am writing to join them. As a user of open-source software, adoption of the broadcast flag will mean I am unable to receive digital television broadcasts on my computer.

Adopting the broadcast flag will make the FCC stand for "Federal Computer Control" which is outside its proper role. It is not the FCC's place to effectively choose the software licenses or computer operating systems that consumers must use in order to watch digital television broadcast on their computers.

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Sincerely,

Frank Shulze

Commissioner Kevin J. Martin  
Federal Communications Commission  
445 12th Street, NW  
Washington, D.C. 20554

Dustin Zack  
1 Dale Drive  
Greenwich, CT 06831

Dear Commissioner Kevin J. Martin

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Sincerely,

Dustin Zack

OPTIONAL FORM NO. 10 (REV. 11-83)

Aaron Hechmer  
PO Box 102  
Honolulu, HI 96728

Commissioner Kevin J. Martin  
Federal Communications Commission  
445 12th Street, NW  
Washington, D.C. 20554

Dear Commissioner Kevin J. Martin:

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Sincerely,

Aaron Hechmer

CONFIDENTIAL (S) (C) (S) (C) (S) (C)

Neal Hammond  
25 Sunshine Ct  
Galt, CA 95632

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Federal Communications Commission  
445 12th Street, NW  
Washington, D.C. 20554

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Sincerely,

Neal Hammond

EX PARTE ORIGINATOR

Joan Nierut  
9533 Lemoran Ave  
Downey CA 90240

Commissioner Kevin J. Martin  
Federal Communications Commission  
445 12th Street, NW  
Washington, D.C. 20554

Dear Commissioner Kevin J. Martin

I am vehemently opposed to the FCC's adoption of a "broadcast flag". As a user of open-source software, adoption of the broadcast flag will mean I am unable to receive digital television broadcasts on my computer.

The personal freedoms that I enjoy as an open-source user will be significantly restricted, not because I'm breaking the law but because I MIGHT break the law. The oppressive strong-arm tactics of major corporations don't belong in a society of free ideas and innovation. In addition, these restrictions will have a chilling effect on ALL innovation, not just in the area of digital broadcasts.

In making this decision, you must think deeply about the benefits to all Americans, not to just a few select corporations. Instead of treating all Americans as criminals, you should reinvigorate the concept of "fair use" and apply punishments and restrictions only to those who are clearly breaking the law.

Sincerely,

Joan Nierut

EX PARTE COMMUNICATIONS

Matthew Narvaez  
1775 Crane Creek Blvd.  
Viera, FL 32940

Commissioner Kevin J. Martin  
Federal Communications Commission  
445 12th Street, NW  
Washington, D.C. 20554

Dear Commissioner Kevin J. Martin:

As a broadcast television viewer and consumer of electronics and computer products, I urge the Federal Communications Commission to vote against the adoption of a "broadcast flag." I am outraged that the FCC would consider a regulation would restrict the way I enjoy television.

The broadcast flag is neither in my interest nor the public's interest. It will prevent me from watching digital broadcast television in the ways I currently enjoy analog broadcast television—for example, it will restrict my ability to move the video I have recorded for personal viewing from room-to-room and place-to-place.

The broadcast flag will also lock out my computer as a way to watch my favorite shows using my choice of software on a plane or train, or to send a television clip of a high school football game to family and friends.

Furthermore, if computers cannot freely receive digital television, how can I expect creative developers to discover new devices that enable me to use content in exciting ways I haven't even thought of? I value innovative devices like TiVo, ReplayTV and the Windows Media Center PC, which exist today because they were built to open standards using inexpensive, off-the-shelf computer parts.

If the move to digital television does not make the public's viewing experience more enjoyable, flexible, and exciting, what compelling reason do I have as a consumer to buy new digital television equipment? A prettier picture is hardly enough reason for me to dispense with all my current consumer electronics and computer equipment. As a citizen and viewer of broadcast television, I urge you to promote the digital television transition by opposing adoption of the broadcast flag.

Sincerely,

Matthew Narvaez



Brent A Thorne  
1290 Grove Street, #506  
San Francisco, CA 94117

Commissioner Kevin J. Martin  
Federal Communications Commission  
445 12th Street, NW  
Washington, D.C. 20554

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Sincerely,

Brent A Thorne

EX PARTE COMMUNICATIONS

Joseph H. Bell  
2677 Cheyenne Dr  
Las Cruces, NM 88011

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445 12th Street, NW  
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There must be a better way to avoid pirating than this. Please require the industry to come up with a better plan that addresses these concerns.

Joseph H. Bell, MD

Sincerely,

Joseph H. Bell

Robert G. Wilson, V  
8611 E. 63rd Street So  
Derby, KS 67037

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Federal Communications Commission  
445 12th Street, NW  
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Sincerely,

Robert G. Wilson, V

Jessica Emami  
1371 Main St  
Garthersburg, MD 20878

Commissioner Kevin J. Martin  
Federal Communications Commission  
445 12th Street, NW  
Washington, D.C. 20554

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Sincerely,

Jessica Emami

mike landrus  
1000 silbury dr  
austin, tx

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Federal Communications Commission  
445 12th Street, NW  
Washington, D.C. 20554

Dear Commissioner Kevin J. Martin

Thousands of American consumers have already expressed their opposition to the FCC's adoption of a "broadcast flag." I am writing to join them. As a user of open-source software, adoption of the broadcast flag will mean I am unable to receive digital television broadcasts on my computer.

Adopting the broadcast flag will make the FCC stand for "Federal Computer Control" which is outside its proper role. It is not the FCC's place to effectively choose the software licenses or computer operating systems that consumers must use in order to watch digital television broadcast on their computers.

Additionally, adoption of the broadcast flag will harm innovation. Many users of open-source software are computer programmers and "tinkerers" who work to improve the software. Their contributions and constant innovation is what makes open-source software able to compete in the marketplace.

The broadcast flag rule advocated by the MPAA will ban open-source implementations of VSB and QAM modulators and demodulators, preventing open-source programmers from innovating in field of digital communications techniques used by television.

Most Americans assumed that when television became digital, viewers would be able to do more with television programming, not less. Without innovative new products and flexibility in the ways consumers are able to watch TV, consumers will be less inclined to invest in the equipment to view digital television. Therefore, the broadcast flag is likely to slow adoption of digital television in addition to making it illegal to watch digital television on a computer using open-source software. It is for these reasons I urge you to promote the digital television transition by opposing adoption of the broadcast flag.

Sincerely,

mike landrus

Charles Chauncey  
2141 Bella Vista St  
Wichita, KS

Commissioner Kevin J. Martin  
Federal Communications Commission  
445 12th Street, NW  
Washington, D.C. 20554

Dear Commissioner Kevin J. Martin

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Sincerely,

Charles Chauncey

Gary M. Tenzer  
1801 Century Park East  
Suite 1910  
Los Angeles, Ca 90067

Commissioner Kevin J. Martin  
Federal Communications Commission  
445 12th Street, NW  
Washington, D.C. 20554

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Sincerely,

Gary M. Tenzer

Pedro Rosario Barbosa  
Calle Diana 805  
Dos Pinos  
San Juan, PR 00923

Commissioner Kevin J. Martin  
Federal Communications Commission  
445 12th Street, NW  
Washington, D.C. 20554

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Sincerely,

Pedro Rosario Barbosa



Jim Younkin  
619 N Baker Apt "D"  
98802

Commissioner Kevin J. Martin  
Federal Communications Commission  
445 12th Street, NW  
Washington, D C 20554

Dear Commissioner Kevin J. Martin

As a broadcast television viewer and consumer of electronics and computer products, I urge the Federal Communications Commission to vote against the adoption of a "broadcast flag." I am outraged that the FCC would consider a regulation would restrict the way I enjoy television.

The broadcast flag is neither in my interest nor the public's interest. It will prevent me from watching digital broadcast television in the ways I currently enjoy analog broadcast television—for example, it will restrict my ability to move the video I have recorded for personal viewing from room-to-room and place-to-place.

The broadcast flag will also lock out my computer as a way to watch my favorite shows using my choice of software on a plane or train, or to send a television clip of a high school football game to family and friends.

Furthermore, if computers cannot freely receive digital television, how can I expect creative developers to discover new devices that enable me to use content in exciting ways I haven't even thought of? I value innovative devices like TiVo, Replay TV and the Windows Media Center PC, which exist today because they were built to open standards using inexpensive, off-the-shelf computer parts.

If the move to digital television does not make the public's viewing experience more enjoyable, flexible, and exciting, what compelling reason do I have as a consumer to buy new digital television equipment? A prettier picture is hardly enough reason for me to dispense with all my current consumer electronics and computer equipment. As a citizen and viewer of broadcast television, I urge you to promote the digital television transition by opposing adoption of the broadcast flag.

Sincerely,

Jim Younkin

Michael A Sakovsky Sr  
117 Hillcrest Drive  
Marlboro, NY 12542

Commissioner Kevin J. Martin  
Federal Communications Commission  
445 12th Street, NW  
Washington, D C 20554

Dear Commissioner Kevin J. Martin

As a broadcast television viewer, consumer of electronics and computer products and an Internet and computer technologies expert I urge the Federal Communications Commission to vote against the adoption of a "broadcast flag." I am outraged that the FCC would consider a regulation would restrict the way I enjoy television.

The broadcast flag is neither in my interest nor the public's interest. It will prevent me from watching digital broadcast television in the ways I currently enjoy analog broadcast television—for example, it will restrict my ability to move the video I have recorded for personal viewing from room-to-room and place-to-place.

The broadcast flag will also lock out my computer as a way to watch my favorite shows using my choice of software on a plane or train, or to send a television clip of a high school football game to family and friends. One of my most enjoyable ways of watching TV is through a Video/Television card in my computer. I work for many hours a day and I frequently enjoy lunches and breaks by using this technology. I will be very disappointed if my ability to use the technologies at my disposal to enjoy my viewing time.

Furthermore, if computers cannot freely receive digital television, how can I expect creative developers to discover new devices that enable me to use content in exciting ways I haven't even thought of? I value innovative devices like TiVo, ReplayTV and the Windows Media Center PC, which exist today because they were built to open standards using inexpensive, off-the-shelf computer parts.

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Sincerely,

Michael A Sakovsky Sr

V. M. Fischer  
2428 Canyon Creek Drive  
Stockton, CA 95207

Commissioner Kevin J. Martin  
Federal Communications Commission  
445 12th Street, NW  
Washington, D.C. 20554

Dear Commissioner Kevin J. Martin:

Now that ReplayTV has entered our household, we watch what we want to see when we want to see it. The new Replay units even allow sending the recording of a particular show to another Replay user. We expect digital television to impact our use of television even further giving us more and more options over time. FCC's adoption of a "broadcast flag" seems to turn the clock back when it comes to the advancement of technology in the television field.

Digital television is the coming wave and putting the brakes on the design and implementation of new software related to it seems ill advised.

It is hard for me to believe that the FCC is not aware of those issues, and it is my sincere hope that industry lobbying efforts will not encourage the FCC to turn a blind eye to the needs and desires of the consumer. I would hate to see further development squelched.

I understand the need to protect copyrights. I for one do not illegally copy computer software. Several years ago I produced a software product that was sometimes pirated, and I know the frustration first hand. However I don't believe that the adoption of the broadcast flag will discourage illegal activity. I think it will merely curtail development and reasonable use.

Receiving digital TV on my computer may not be something that I wish to do next month or even next year, but I do believe that the options should be open and I want to express my opposition to the broadcast flag.

Sincerely,

V. M. Fischer

Barbara M Reis  
165 The Channel Way  
Brewster, Ma 02631

Commissioner Kevin J. Martin  
Federal Communications Commission  
445 12th Street, NW  
Washington, D C 20554

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If the move to digital television does not make the public's viewing experience more enjoyable, flexible, and exciting, what compelling reason do I have as a consumer to buy new digital television equipment? A prettier picture is hardly enough reason for me to dispense with all my current consumer electronics and computer equipment. As a citizen and viewer of broadcast television, I urge you to promote the digital television transition by opposing adoption of the broadcast flag.

"We Americans have enough government controls on our freedoms fought for us by our forefathers, and every soldier who fought a war to insure those freedoms. As a school teacher of junior high school students, the ability to record certain educational, historical and even entertainment programs, enables me to enrich and instruct the curriculum that is taught in public and private schools to an extent that is not as exciting and real using just text books. Please do not perforce this Broadcast Flag. Also, these days many students are being home schooled, without the benefit of television programs recorded, these students will be denied benefits that otherwise are unavailable for them." Thank You, Barbara

Sincerely,

Barbara M Reis

V. M. Fischer  
2428 Canyon Creek Drive  
Stockton, CA 95207

Commissioner Kevin J. Martin  
Federal Communications Commission  
445 12th Street, NW  
Washington, D.C. 20554

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Receiving digital TV on my computer may not be something that I wish to do next month or even next year, but I do believe that the options should be open and I want to express my opposition to the broadcast flag.

Sincerely,

V. M. Fischer

Richard J Nelson  
20216 Lakemore Dr  
Canyon County, CA 91351

Commissioner Kevin J Martin  
Federal Communications Commission  
445 12th Street, NW  
Washington, D C 20554

Dear Commissioner Kevin J Martin

As an American consumer and programmer I wish to express my opposition to the FCC's adoption of a "broadcast flag". I am writing to join the thousands of others who feel the same way. As a user of open-source software, adoption of the broadcast flag will mean I am unable to receive digital television broadcasts on my computer.

The FCC should not stand for "Federal Computer Control" which is outside its proper role. It is not the FCC's place to effectively choose the software licenses or computer operating systems that consumers must use in order to watch digital television broadcast on their computers. Besides this rule could be thrown out by the courts because it infringes on our constitutional rights.

Additionally, adoption of the broadcast flag will harm innovation and this one of the few areas that we can effectively compete in the world community. Many users of open-source software are computer programmers and "tinkers" who work to improve the software. Big corporations have inherent limitations and out county should not be so limited. Their contributions and constant innovation is what makes open-source software able to compete in the marketplace.

The broadcast flag rule advocated by the MPAA will ban open-source implementations of VSB and QAM modulators and demodulators, preventing open-source programmers from innovating in field of digital communications techniques used by television. Additionally, if the rule is adopted these innovative contributors will be forced underground keeping their technology to them selves. This further inhibits the advancements that our open society has demonstrated to outperform most others.

Most Americans assumed that when television became digital, viewers would be able to do more with television programming, not less. Without innovative new products and flexibility in the ways consumers are able to watch TV, consumers will be less inclined to invest in the equipment to view digital television. Let's keep in mind that the air waves are a public resource and not just the domain of commercial interests. Therefore, the broadcast flag is likely to slow adoption of digital television in addition to making it illegal to watch digital television on a computer using open-source software. It is for these reasons I urge you to promote the digital television transition by opposing adoption of the broadcast flag -ijn.

Sincerely,

Richard J Nelson

Yufik Nidyet  
PO Box 420716  
San Francisco, CA 94142-0716

Commissioner Kevin J. Martin  
Federal Communications Commission  
445 12th Street, NW  
Washington, D.C. 20554

Dear Commissioner Kevin J. Martin

Thousands of American consumers have already expressed their opposition to the FCC's adoption of a "broadcast flag." I am writing to join them. As a user of open-source software, adoption of the broadcast flag will mean I am unable to receive digital television broadcasts on my computer.

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Sincerely,

Yufik Nidyet

Chris J Mischler  
1531 Maywood St  
Saint Paul, MN 55117

Commissioner Kevin J. Martin  
Federal Communications Commission  
445 12th Street, NW  
Washington, D.C. 20554

Dear Commissioner Kevin J. Martin

As a broadcast television viewer and consumer of electronics and computer products, I urge the Federal Communications Commission to vote against the adoption of a "broadcast flag." I am outraged that the FCC would consider a regulation would restrict the way I enjoy television.

The broadcast flag is neither in my interest nor the public's interest. It will prevent me from watching digital broadcast television in the ways I currently enjoy analog broadcast television—for example, it will restrict my ability to move the video I have recorded for personal viewing from room-to-room and place-to-place.

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Furthermore, if computers cannot freely receive digital television, how can I expect creative developers to *discover new devices* that enable me to use content in exciting ways I haven't even thought of? I value innovative devices like TiVo, ReplayTV and the Windows Media Center PC, which exist today because they were built to open standards using inexpensive, off-the-shelf computer parts.

If the move to digital television does not make the public's viewing experience more enjoyable, flexible, and exciting, what compelling reason do I have as a consumer to buy new digital television equipment? A prettier picture is hardly enough reason for me to dispense with all my current consumer electronics and computer equipment. As a citizen and viewer of broadcast television, I urge you to promote the digital television transition by opposing adoption of the broadcast flag.

Sincerely,

Chris J Mischler



Jayabharath Goluguri  
12500 Hill Boulevard  
MS8723  
Dallas, TX. 75243

Commissioner Kevin J. Martin  
Federal Communications Commission  
445 12th Street, NW  
Washington, D.C. 20554

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I urge you not to take away my freedom to enjoy TV.

-Jayabharath

Sincerely,

Jayabharath Goluguri

Robert Patrick Arritt  
16 W Main St  
Milo, ME 04463

Commissioner Kevin J. Martin  
Federal Communications Commission  
445 12th Street, NW  
Washington, D.C. 20554

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Sincerely,

Robert Patrick Arritt

Karl Jon Vacek  
186 Millbridge Road  
Riverside, IL 60546

Commissioner Kevin J. Martin  
Federal Communications Commission  
445 12th Street, NW  
Washington, D.C. 20554

Dear Commissioner Kevin J. Martin:

"Thousands of American consumers have already expressed their opposition to the FCC's adoption of a "broadcast flag". I am writing to join them. As a user of open-source software, adoption of the broadcast flag will mean I am unable to receive digital television broadcasts on my computer. Isn't the reception of any and all radio/TV broadcast transmissions legal, with the only stipulation being that one cannot forward or communicate them to anyone else? If not, when did the law change?

Adopting the broadcast flag will make the FCC stand for "Federal Computer Control" which is outside its proper role. It is not the FCC's place to effectively choose the software licenses or computer operating systems that consumers must use in order to watch digital television broadcast on their computers.

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Sincerely,

Karl Jon Vacek

Dale E. Higgs  
28801 210th Ave SE  
Kent, WA 98042-6803

Commissioner Kevin J. Martin  
Federal Communications Commission  
445 12th Street, NW  
Washington, D.C. 20554

Dear Commissioner Kevin J. Martin:

One year ago, I unplugged my television set because I was fed up with the low-brow bent of local broadcasts, the incessant 'sky-is-falling' approach of the local news programs, and the 25% to 30% commercial content.

In the last year, I have refused to watch the idiot box, relying instead on newspapers for my news.

Last week I purchased components for and built a new computer. This machine has the ability to receive television broadcasts. My intent has been to use open source software to view digital broadcasts, but I now find that the FCC is considering adoption of a "broadcast flag" which, if I understand the effect of this rule, will make it illegal for me to use my computer in this way.

I strongly disagree with any restrictions to my use of broadcasts. The airwaves belong to the public, not to corporate interests. Once content has been broadcast, that broadcast must be part of the public domain and available for fair use. I consider the ability to use whatever means I choose to view the content as fair use.

Please refuse to restrict the rights of the general public. Thank-you.

Sincerely,

Dale E. Higgs

Vincent McKenna  
5118 SW Slavin Rd  
#113  
Portland, Or 97239

Commissioner Kevin J. Martin  
Federal Communications Commission  
445 12th Street, NW  
Washington, D.C. 20554

Dear Commissioner Kevin J. Martin,

NO On Broadcast Flags unless if you want to hurt an already failing industries, which mean I pay more for less. You can try and stop the free software but you wont be able and all this is a waste of what little resource we have left. I use freeware no everything I can and the only reason that is is becuase nothing works the way I want it too, so I have to modify things and if I cant make thing work for me the way I want them to work, I wont buy anything or watch anything. I guess I'll to start reading more books.

Thousands of American consumers have already expressed their opposition to the FCC's adoption of a "broadcast flag". I am writing to join them. As a user of open-source software, adoption of the broadcast flag will mean I am unable to receive digital television broadcasts on my computer.

Adopting the broadcast flag will make the FCC stand for "Federal Computer Control" which is outside its proper role. It is not the FCC's place to effectively choose the software licenses or computer operating systems that consumers must use in order to watch digital television broadcast on their computers.

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Sincerely,

Vincent McKenna

Brian Walsh  
PO Box 313

Barrington, IL 60011

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Federal Communications Commission  
445 12th Street, NW  
Washington, D.C. 20554

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Sincerely,

Brian Walsh

November 5 2003

Commissioner Kevin J. Martin  
Federal Communications Commission  
415 12th Street NW  
Washington D.C. 20554

Dear Kevin Martin:

I am writing to voice my opposition to any FCC-mandated adoption of "broadcast flag" technology for digital television. As a consumer and citizen, I feel strongly that such a policy would be bad for innovation, consumer rights, and the ultimate adoption of ITV.

A robust, competitive market for consumer electronics must be rooted in manufacturers' ability to innovate for their customers. Allowing movie studios to veto features of DTV-reception equipment will enable the studios to tell technologists what new products they can create. This will result in products that don't necessarily reflect what consumers like me actually want, and it could result in me being charged more money for inferior functionality.

If the FCC issues a broadcast flag mandate, I would actually be less likely to make an investment in DTV-capable receivers and other equipment. I will not pay more for devices that limit my rights at the behest of Hollywood. Please do not mandate broadcast flag technology for digital television. Thank you for your time.

Sincerely,

David Wilson  
1730 St. Marc Ct.  
Fernandina Beach, FL 32034  
USA

George Arndt  
31550 Fillmore Rd  
New Carlisle, IN 46552

Commissioner Kevin J. Martin  
Federal Communications Commission  
445 12th Street, NW  
Washington, D.C. 20554

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Adopting the broadcast flag will make the FCC stand for "Federal Computer Control" which is outside its proper role. It is not the FCC's place to effectively choose the software licenses or computer operating systems that consumers must use in order to watch digital television broadcast on their computers.

Additionally, adoption of the broadcast flag will harm innovation. Many users (including myself) of open-source software are computer programmers and "tinkerers" who work to improve the software, as well as our country's economic strength. Our contributions and constant innovation are what make open-source software able to compete in the marketplace.

The broadcast flag rule advocated by the MPAA will ban open-source implementations of VSB and QAM modulators and demodulators, preventing open-source programmers from innovating in field of digital communications techniques used by television.

Most Americans assumed that when television became digital, viewers would be able to do more with television programming, not less. Without innovative new products and flexibility in the ways consumers are able to watch TV, consumers will be less inclined to invest in the equipment to view digital television. Therefore, the broadcast flag is likely to slow adoption of digital television in addition to making it illegal to watch digital television on a computer using open-source software. It is for these reasons I urge you to promote the digital television transition by opposing adoption of the broadcast flag.

Having a PhD in Computer Science, I would be free to offer my statements before any subcommittee as appropriate.

Sincerely,

George Arndt



Jason Ballard  
5400 W Parmer Ln  
Austin, TX 78727

Commissioner Kevin J. Martin  
Federal Communications Commission  
445 12th Street, NW  
Washington, D.C. 20554

Dear Commissioner Kevin J. Martin

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Sincerely,

Jason Ballard

Bob Radvanovsky  
1706 Millbrook Court  
Geneva, IL 60134

Commissioner Kevin J. Martin  
Federal Communications Commission  
445 12th Street, NW  
Washington, D.C. 20554

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Bob Radvanovsky

Leif Ericksen  
412 Prides Run  
Lake in the Hills, IL 60156

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Federal Communications Commission  
445 12th Street, NW  
Washington, D.C. 20554

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Sincerely,

Leif Ericksen

Ken Belcher  
2626 N Lakeview #3703  
Chicago, IL 60614 1830

Commissioner Kevin J. Martin  
Federal Communications Commission  
445 12th Street, NW  
Washington, D.C. 20554

Dear Commissioner Kevin J. Martin

As a broadcast television viewer and consumer of electronics and computer products, I urge the Federal Communications Commission to vote against the adoption of a "broadcast flag." I am outraged that the FCC would consider a regulation would restrict the way I enjoy television.

The broadcast flag is neither in my interest nor the public's interest. It will prevent me from watching digital broadcast television in the ways I currently enjoy analog broadcast television—for example, it will restrict my ability to move the video I have recorded for personal viewing from room-to-room and place-to-place.

The broadcast flag will also lock out my computer as a way to watch my favorite shows using my choice of software on a plane or train, or to send a television clip of a high school football game to family and friends.

Furthermore, if computers cannot freely receive digital television, how can I expect creative developers to discover new devices that enable me to use content in exciting ways I haven't even thought of? I value innovative devices like TiVo, Replay TV and the Windows Media Center PC, which exist today because they were built to open standards using inexpensive, off-the-shelf computer parts.

The most anti-consumer aspect of your action is its lack of provision for bypassing any such flag when it interferes with consumer fair-use of copyrighted materials, or when it is applied to materials which have no copyright protection, either because that protection has expired or was never in force.

The US Copyright system, like the Patent system, was set up as a quid pro quo: the Government agreed to legally protect the author/inventor rights for a limited period of time, in exchange for the material's placement in the public domain at the expiration of that time. For whatever reason, be it a misunderstanding of the original arrangement, a misplaced sympathy for a few author/inventors who seemed to get a raw deal, or, as cynics would have it, the sheer power of campaign contributions, Congress has, in recent decades, dramatically diminished the People's return in exchange for that protection. The DMCA has further encroached on those rights, and now the FCC has MANDATED a technology that once again makes it possible for rights that exist in law to be taken away from those citizens who agreed to offer limited protection in exchange for unlimited future use.

I have some sympathy for authors, having watched expensive software that my company developed being widely copied; however, our attempts to protect it invariably caused more harm to our honest users than the extra revenue generated (in part because we overestimated what share of copiers could be converted to users), and we removed the protection. Last year, Intuit decided to protect its TurboTax product, in a disaster for it and all of us who (formerly) used its product—I now use a non-protected competitor. And now one of the popular Antivirus products, Norton AntiVirus, has been released with protection that is failing, exposing large numbers of legitimate purchasers to PC viruses, with no meaningful recourse! If your action is implemented, we can expect to see similar deprivation of ownership rights of flagged digital material.

I do not understand the FCC's motives. The public airwaves are just that – we, the people, own them and broadcasters have temporary use of them, ultimately at our pleasure. In your media ownership rules you argue contradictory positions, first that the survival of the broadcasters is essential and dependent on the new rules, WHILE arguing this poses no threat to public access to information because of the pervasiveness of alternate access mediums.

With the broadcast flag you seem to be fighting a battle on behalf of the broadcasters once again – unnecessarily once again, because they can either comply, or give up the spectrum to some OTHER content provider who will comply! And furthermore you seem to be following the misguided concerns of the music business, whose fears kept them from offering a product that the public wanted, which caused the void to be filled by pirates. However now that the music services have finally offered legitimate download licenses those services are rapidly proliferating. There will still be some theft, but there is and will be content theft however it is protected. The question is how much penalty will be imposed on the honest to sooth the over-the-top fears of the providers, who, as the RIAA has discovered, does have other enforcement tools.

As a citizen and viewer of broadcast television, and one of the ultimate owners of the portion of the broadcast spectrum that it uses, I urge you to mandate the digital television transition without the adoption of the broadcast flag, in exchange for continued access to that spectrum.

Sincerely,

Ken Belcher

Ken Belcher  
2626 N Lakeview #3703  
Chicago, IL 60614-1830

Commissioner Kevin J. Martin  
Federal Communications Commission  
445 12th Street, NW  
Washington, D.C. 20554

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Sincerely,

Ken Belcher

carlton goode  
11218 Kline St SW  
Lakewood, WA 98499

Commissioner Kevin J. Martin  
Federal Communications Commission  
445 12th Street, NW  
Washington, D C 20554

Dear Commissioner Kevin J. Martin

I am a computer hobbyist with 6 children whom are hobbyist as well. I am employed as a Security Guard and earn \$9.25 an hour. I have had to learn open-source software and Operating Systems, simply because I cannot afford the others.

My children would have no access to modern computing at all if it weren't for open-source availability. They have learned how to download games and install emulators and even write small scripts. This would have never happened if we were limited to what we could afford.

This desire to implement a "Broadcast flag" will only stifle the ability for the low income to learn modern programming. I bet there aren't more than a few hundred thousand people who get digital tv on their computers, even if it is a few million. There are hundreds of millions who will never do it. So the argument that it is a financial issue is moot.

I believe the real reason is the rich are afraid that the low income will learn computing as good as them and someday be competitors in business. They want to keep families like mine down and stuck in menial jobs, like security, so we can never dream of owning our own home or living out of debt.

This is a blatant attempt by the MPAA to keep monopolistic control over an ever widening field. What the heck is the FCC doing licensing software anyway? Why isn't my country's FCC defending my right to explore and innovate?

Last but not least, it is true that people watch tv and movies and such. My kids had Star Wars 2 days before it came out, but it ignited a passion in them for computing that only experience could. They are now learning how to make their own digital movies by info they get off the net. The MPAA certainly isn't helping foster their education or desire for knowledge.

It is for these reasons I urge you to promote the digital television transition by opposing adoption of the broadcast flag.

Sincerely,

a registered voter,

Carlton Lee Goode Jr.

11218 Kline St SW

Lakewood, WA 98499



Sincerely,

carlton goode